

NOTICE OF PUBLIC HEARING

Pursuant to provisions of Chapter 91, Hawaii Revised Statutes (HRS), and all other laws applicable thereto, public hearings will be conducted by the Hawaii Teacher Standards Board (HTSB) to afford all interested persons the opportunity to submit data, views and arguments, orally and in writing, concerning the adoption of the administrative rules described in this notice.

A. DESCRIPTION OF THE PROPOSED RULE

Chapter 8-54, TEACHER LICENSING STANDARDS, is proposed to be amended in order to:

1. Set forth the basis for denying, suspending, revoking and reinstating a teacher's license to enable the HTSB to fulfill all its statutory duties.

The proposed amendments provide a process by which the HTSB can deny, suspend or revoke the license or permit of teacher licensees and permittees guilty of professional misconduct. The proposed rules will allow the HTSB to protect the health and safety of public school students as well as ensure the application of the HTSB's Code of Ethics to all licensees and permittees.

2. Set forth the procedure for contested case hearings to afford licensees and permittees due process when actions are contemplated against their license or permit.

The proposed amendments provide a process by which teacher licensees and permittees who have had a license or permit denied, suspended or revoked can contest the application of the HTSB's rules on their license, license extension, license renewal or special duty permit.

3. Amend one of the ways by which a teacher may add a field to his/her license by increasing from 18 to 30 the number of credits that are required for adding a field to a license in order to comply with the No Child Left Behind requirements for "highly qualified" teachers.

The proposed amendments provide a process for teachers to add fields to their license to further assist the Department of Education's (DOE's) efforts to comply with the federal No Child Left Behind "highly qualified" teacher requirements.

4. Add two more ways by which a teacher can add a field to his/her license by achieving National Board Certification in the new field or by having an out of state license in the new field with recent satisfactory teaching experience.

Licensed teachers who achieve National Board for Professional Teaching Standards certification will be able to add a new field to their license based on their NBPTS certification. The proposed rules will further expand the ways by which out of state licensed teachers can add fields to their license.

5. Provide for the issuance of Limited Duty Special Permits to individuals employed as emergency hires by the DOE to provide instruction in a shortage area.
6. Describe the extenuating circumstances under which the HTSB may suspend its rules and the procedures to be followed to take such action.

Enabling the HTSB to suspend its rules under extenuating circumstances allows the HTSB to be more responsible to individuals, who, due to unusual circumstances, are unable to meet the timelines or requirements for licensure.

7. Repeal provisions that are expired and update portions so that they are current.

The proposed amendments repeal the provision allowing emergency hires to be licensed effective August 1, 2006 as the December 1, 2006 deadline to submit requested documents has passed. The proposed amendments repeal the provision allowing the HTSB to follow the DOE's rules, regulations and guidelines for professional fitness checks, as these provisions are included in the proposed amendments.

8. Add new definitions of terms and make technical amendments.

Definitions of "censure", "criminal action against children", "emergency hire", "Executive Director", "Felony", "Internet crimes", "Misdemeanor", "Permit", "Revocation", "Sex offense", "Suspension", "Warning" are included for clarification. The proposed technical amendments update expiration dates of license extensions granted by the HTSB.

B. SCHEDULE OF PUBLIC HEARING

Public hearings will be held at the dates, times and places indicated below:

OAHU	6:00 PM, February 16, 2010, Castle High School Cafetorium, 45-386 Kaneohe Bay Drive, Kaneohe, HI 96744
	6:00 PM, February 17, 2010, McKinley High School Cafetorium, 1039 S. King St., Honolulu, HI 96814
	6:00 PM, February 18, 2010, Mililani High School Cafetorium, 95-1200 Meleula Parkway, Mililani, HI 96789
	6:00 PM, March 3, 2010, Kapolei Middle School Cafetorium, 91-5335 Kapolei Parkway, Kapolei, HI 96707
EAST HAWAII	6:00 PM, March 2, 2010, Waiakea High School Cafetorium, 155 W. Kawili Street, Hilo, HI 96720
KAUAI	6:00 PM, February 23, 2010, Kaumualii Elementary School, 4380 Hanamaulu Road, Lihue, HI 96766

WEST HAWAII	6:00 PM, March 1, 2010, Kealakehe Intermediate School Cafetorium, 74-5062 Onipa`a Street, Kailua-Kona, HI 96740
LANAI	3:30PM, February 22, 2010, Lanai High & Elementary School Cafetorium, 555 Fraser Avenue, Lanai City, HI 96763
MOLOKAI	3:30 PM, February 24, 2010, Molokai High School Cafetorium, 2140 Farrington Avenue, Hoolehua, HI 96729
MAUI	6:00PM, March 4, 2010, Lihikai School, 335 South Papa Avenue, Kahului, HI 96732

C. AVAILABILITY OF COPIES OF THE PROPOSED RULE AND RELATED INFORMATION

Copies of the proposed rule to be adopted are available for public review during the regular business day between the hours of 8:00AM and 3:30PM at the Hawaii Teacher Standards Board office, 650 Iwilei Road, Suite 201, Honolulu, HI 96817, on the HTSB's website at www.htsb.org, and on the Lieutenant Governor's website at <http://hawaii.gov/lsgov>.

Copies of the proposed rule to be adopted will also be available for public review at all public schools. In addition, copies of the proposed rule will be mailed to any person requesting a copy and submitting the required fee for copying and postage. Requests must be received by phone at (808) 586-2605 or in writing (please include name, address, and telephone number of requestor) no later than February 9, 2010, at the following address:

Hawaii Teacher Standards Board
650 Iwilei Road, Suite 201
Honolulu, HI 96817

D. PUBLIC TESTIMONY

Persons who wish to speak at the hearings are requested to submit at least one copy or preferably fifteen (15) copies of their written testimony at the time of their presentation. Others who are unable to be present at the public hearings or do not wish to speak at the public hearings are asked to submit their written testimony to the Hawaii Teacher Standards Board, 650 Iwilei Road, Suite 201, Honolulu, HI 96817. Written testimony must be received no later than March 4, 2010.

Persons who are deaf or hearing impaired may request interpreter assistance by calling (808) 586-2605 at least seven (7) days before a scheduled public hearing.